

Message Text

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ACTION IO-14

INFO OCT-01 AF-10 EUR-12 ISO-00 CIAE-00 DODE-00 PM-04

H-01 INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01

SP-02 SS-15 USIA-06 ACDA-07 DHA-02 AID-05 IGA-02

OMB-01 TRSE-00 /099 W

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R 091745Z JUN 77

FM AMCONSUL CAPE TOWN

TO SECSTATE WASHDC 6228

INFO AMEMBASSY BONN

AMEMBASSY DAR ES SALAAM

AMEMBASSY GABORONE

AMEMBASSY LAGOS

AMEMBASSY LONDON

AMEMBASSY LUSAKA

AMEMBASSY OTTAWA

AMEMBASSY MAPUTO

AMEMBASSY PARIS

AMEMBASSY PRETORIA

USMISSION USUN NEW YORK

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E.O. 11652: N/A (DECLASSIFY AFTER JUNE 20)

TAGS: PDEV, SF, WA, US, UN

SUBJECT: NAMIBIA TALKS: ENABLING LEGISLATION

REF: CAPE TOWN 0943,

THE FOLLOWING IS THE TEXT OF THE DRAFT LEGISLATION THAT
PM VORSTER SAYS HE WILL INTRODUCE IN PARLIAMENT FRIDAY, JUNE 10:

QUOTE TO AMEND THE SOUTH-WEST AFRICA CONSTITUTION ACT, 1968,
SO AS TO EXTEND THE POWERS OF THE STATE PRESIDENT TO MAKE
LAWS FOR THE TERRITORY OF SOUTH WEST AFRICA; AND TO PROVIDE
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FOR MATTERS CONNECTED THEREWITH.

BE IT ENACTED BY THE STATE PRESIDENT, THE SENATE AND THE HOUSE
OF ASSEMBLY OF THE REPUBLIC OF SOUTH AFRICA, AS FOLLOWS:

1. SECTION 38 OF THE SOUTH-WEST AFRICA CONSTITUTION ACT, 1968,
IS HEREBY AMENDED -

A. BY THE SUBSTITUTION FOR SUBSECTION (1) OF THE FOLLOWING
SUBSECTION:

"(1) THE STATE PRESIDENT MAY BY PROCLAMATION IN THE GAZETTA
MAKE LAWS FOR THE TERRITORY IN RELATION TO ANY MATTER AND MAY
IN ANY SUCH LAW -

(A) REPEAL OR AMEND ANY RULE OF LAW, INCLUDING THIS ACT
AND ANY OTHER ACT OF PARLIAMENT IN SO FAR AS IT RELATES TO
OR APPLIES IN THE TERRITORY OR IS CONNECTED WITH THE ADMINISTRATION
THEREOF OR THE ADMINISTRATION OF ANY MATTER BY ANY AUTHORITY
THEREIN; AND

(B) REPEAL OR AMEND ANY ACT OF PARLIAMENT, AND MAKE DIFFERENT
PROVISION, TO REGULATE ANY MATTER WHICH, IN HIS OPINION,
REQUIRES TO BE REGULATED IN CONSEQUENCE OF THE REPEAL OR
AMENDMENT OF ANY ACT IN TERMS OF PARAGRAPH (A)."

B. BY THE SUBSTITUTION FOR SUBSECTION (2) OF THE FOLLOWING
SUBSECTION:

"(2) IF ANY AUTHORITY IS BY ANY LAW MADE IN TERMS OF SUBSECTION
(1) EMPOWERED TO MAKE LAWS, A LAW MADE BY ANY SUCH AUTHORITY
BY VIRTUE OF THAT POWER, SHALL NOT BE OF FORCE AND EFFECT
UNTIL IT HAS BEEN APPROVED BY THE STATE PRESIDENT."; AND

C. BY THE DELETION OF SUBSECTIONS (6) AND (7).

2. THIS ACT SHALL ALSO APPLY IN RESPECT OF THE EASTERN
CAPRIVI ZIPFELWM

3. THIS ACT SHALL BE CALLED THE SOUTH WEST AFRICA CONSTITUTION
AMENDMENT ACT, 1977. UNQUOTE.BOWDLER

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Message Attributes

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Disposition Approved on Date:
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